

Message Text

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ACTION NEA-10

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FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 7611

LIMITED OFFICIAL USE NEW DELHI 11637

FOLLOW ING REPEAT BOMBAY 1816 SENT ACTION NEW DELHI

INFO CALCUTTA/MADRAS 15 JULY 1976.

QUOTE:

LIMITED OFFICIAL USE BOMBAY 1816

EO 11652: NA

TAGS: PINT IN

SUBJ: BARODA DYNAMITE CASE SUSPECTS FREED ON BAIL

REF: BOMBAY 1797

1. ACCORDING TO SEVERAL ONE PARAGRAPH ACCOUNTS IN JULY 14 PRESS, FOUR PRINCIPAL SUSPECTS IN THE BARODA DYNAMITE CASE WERE RELEASED ON BAIL ON JLY 13. WITH THIS, ONLY ONE SUSPECT IN ADDITION TO GEORGE FERNANDES CONTINUES IN THE JUDICIAL CUSTODY.

2. COMMENT: THE RELEASE ON BAIL OF THE SUSPECTS SEEMS TO CONTRADICT THE JULY 9 STATEMENT OF GOI MINISTER OF STATE FOR HOME AFFAIRS THAT THE "INVESTIGATION OF THE CASE HAD REACHED A FINAL STALD AND SOON THE CHARGE SHEET WOULD BE MADE IN THE COURT." ALTHOUGH THE BARODA COURT HAS CONSISTENTLY DEMANDED THAT THE CENTRAL BUREAU OF INVEQTCGATION SUBMIT THE CHARGESHEET IN LIGHT OF STANDING COURT PROCEDURES SINCE THE ARRESTS WERE MADBION MARCH 7, NO CHARGE SHEETS HAVE YET BEEN SUBMITTED.

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3. TECHNICALLY THE COURT AND, SPECIFICALLY MR JUSTICE R.C. MEHTA,

COULD NOT CONTINUE TO KEEP THE SUSPECTS IN CUSTODY AND THUS
RELEASED THEM ON BAIL. LESS TECHNICALLY JUSTICE MEHTA'S ACTION
IN LIGHT OF THE RECENT GOI TRANSFERS OF RECALCITRANT JUDGES IS A
FAIRLY BOLD ACT.

4. OPPOSITION AND PRESS CIRCLES GENERALLY BELIEVE THAT ALL THE
FOUR SUSPECTS WILL BE SOON ARRESTED UNDER MISA. (REPORTEDLY THE
FIFTH SUSPECT, BEING POOR, COULD NOT ARRANGE BAIL.)
COURTNEY

UNQUOTE.
SAXBE

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